

**DIGGING PERMIT**

RICE LAKE STREET DEPARTMENT  
35 W ALLEN STREET  
RICE LAKE, WI 54868  
234-7402

DATE OF PERMIT:

PERMIT NO.: **1908**

APPLICANTS NAME: Brian Erickson  
BUSINESS NAME: Marcus Cable  
STREET ADDRESS: 1725 South Main Street  
CITY/STATE/ZIP: Rice Lake, WI 54868  
TELEPHONE NO: OR  
(715) 234-3821

STREET ADDRESS OF EXCAVATION: 2005 South Main  
LOCATION DESCRIPTION: Hwy SS/South Street  
PLANS OR SKETCH ATTACHED: Yes  
COMPLETION DATE: 11-14-97

**DESCRIPTION OF WORK:**

Bury CATV wire to eliminate aerial

IF THE EXCAVATION DESCRIBED ABOVE IS NOT COMPLETED BY THE COMPLETION DATE SPECIFIED OR CONDITIONS LISTED UNDER VALIDITY OF PERMIT IN SPECIFICATIONS, THIS PERMIT IS NULL AND VOID AND THE EXCAVATION SHALL NOT BE CONSTRUCTED UNLESS AUTHORIZED THROUGH A SUPSEQUENT PERMIT.

ANY EXCAVATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL REQUIREMENTS PRINTED ON THE ATTACHED SPECIFICATIONS, AND ANY SPECIAL CONDITIONS STATED HEREIN. THE MAINTENANCE OF THE EXCAVATION SHALL BE THE RESPONSIBILITY OF THE APPLICANT.

*if the wire is for a pipe  
they have to get to the bottom*

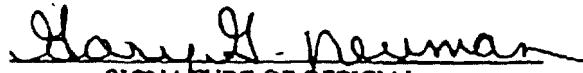
**SPECIAL CONDITIONS (IF APPLICABLE):**

ISSUANCE OF THIS PERMIT SHALL NOT BE CONSTRUED AS A WAIVER OF THE APPLICANT'S OBLIGATION TO COMPLY WITH ANY MORE RETRICTIVE REQUIREMENTS IMPOSED BY LOCAL ORDINANCES.

  
SIGNATURE OF APPLICANT

10-29-97

DATE

  
SIGNATURE OF OFFICIAL  
APPROVING PERMIT

10-30-97

DATE

PERMIT FEE: 10.00

PAYABLE TO: CITY CLERK-TREAS., CITY OF RICE LAKE  
11 E MARSHALL ST, RICE LAKE, WI 54868

APPLICANT IS AUTHORIZED TO PROCEED WITH SUCH WORK IN ACCORDANCE WITH STATE OF WISCONSIN AND CITY OF RICE LAKE CODES.

DISTRIBUTION: ORIGINAL TO APPLICANT, COPY TO STREET DEPT., COPY TO FOREMAN.

*Diagram on back*

**DIGGING PERMIT**

RICE LAKE STREET DEPARTMENT  
35 W ALLEN STREET  
RICE LAKE, WI 54868  
234-7402

DATE OF PERMIT:

PERMIT NO.:

**1955**

APPLICANTS NAME: Pat Anderson  
BUSINESS NAME: Marcus Cable  
STREET ADDRESS: 1725 South Main  
CITY/STATE/ZIP: Rice Lake, WI 54868  
TELEPHONE NO: OR  
(715) 234-3821

STREET ADDRESS OF EXCAVATION: Allen Street  
LOCATION DESCRIPTION: East side of Hwy 53 overpass  
PLANS OR SKETCH ATTACHED: yes  
COMPLETION DATE: 11-28-97

**DESCRIPTION OF WORK:**

Bore Allen St starting on NE side going south to opposite side of road

IF THE EXCAVATION DESCRIBED ABOVE IS NOT COMPLETED BY THE COMPLETION DATE SPECIFIED OR CONDITIONS LISTED UNDER VALIDITY OF PERMIT IN SPECIFICATIONS, THIS PERMIT IS NULL AND VOID AND THE EXCAVATION SHALL NOT BE CONSTRUCTED UNLESS AUTHORIZED THROUGH A SUPSEQUENT PERMIT.

ANY EXCAVATION SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL REQUIREMENTS PRINTED ON THE ATTACHED SPECIFICATIONS, AND ANY SPECIAL CONDITIONS STATED HEREIN. THE MAINTENANCE OF THE EXCAVATION SHALL BE THE RESPONSIBILITY OF THE APPLICANT.

**SPECIAL CONDITIONS (IF APPLICABLE):**

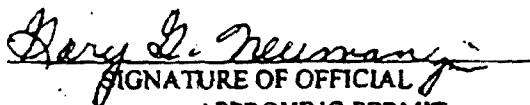
ISSUANCE OF THIS PERMIT SHALL NOT BE CONSTRUED AS A WAIVER OF THE APPLICANT'S OBLIGATION TO COMPLY WITH ANY MORE RETRICTIVE REQUIREMENTS IMPOSED BY LOCAL ORDINANCES.



SIGNATURE OF APPLICANT

**11-12-97**

DATE

SIGNATURE OF OFFICIAL  
APPROVING PERMIT**11-12-97**

DATE

PERMIT FEE: 10.00  
PAYABLE TO: CITY CLERK-TREAS., CITY OF RICE LAKE  
11 E MARSHALL ST, RICE LAKE, WI 54868

APPLICANT IS AUTHORIZED TO PROCEED WITH SUCH WORK IN ACCORDANCE WITH STATE OF WISCONSIN AND CITY OF RICE LAKE CODES.

DISTRIBUTION: ORIGINAL TO APPLICANT, COPY TO STREET DEPT., COPY TO FOREMAN.

**EXHIBIT J**

## ORDINANCE NO. 849

### Imposing Interim Procedures on Excavation Permits

AN ORDINANCE OF THE CITY OF RICE LAKE, WISCONSIN, adopting interim procedures for the acceptance of applications for and issuance of any permit or approval currently required under Chapter 2, Sec. 6-2-3 of the Rice Lake Municipal Code, to be effective for a period of four months, and directing development of a comprehensive right-of-way use ordinance.

WHEREAS, the City Council finds that enactment of this Ordinance is necessary due to the rapidly changing telecommunications industry and the fact that the current City Code and Regulations do not adequately address the potential environmental, economic, infrastructure, safety, and health impacts associated with the type and number of telecommunication facilities and equipment located and likely to be proposed for location within City rights-of-way, and

WHEREAS, interim procedures on the issuance of excavation permits is necessary to enable the City Council to formulate a comprehensive permitting process which addresses impacts, mitigation requirements, corridors for preferred siting and which protects the public interest, and

WHEREAS, the potential adverse impacts on the public health, property, safety and welfare of the city, as discussed above, justify the imposition of interim procedures, now therefore,

THE CITY COUNCIL OF THE CITY OF RICE LAKE DO ORDAIN AS FOLLOWS:

**Sec. 1 Adoption of Interim Procedures.** Interim procedures are hereby adopted with respect to the acceptance of applications for and the issuance of any permit or approval currently required under Chapter 2, Sec. 6-2-3 of the Rice Lake Municipal Code, to construct, install, remove, or relocate any equipment or facilities in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake.

**Sec. 2 Restrictions on Rights-of-Way.** While this ordinance is in effect, no person may construct, install, remove, or relocate any equipment or facilities, with a project value of \$50,000 or more, in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake, without the prior approval of the City Council or its designee, the Superintendent of Streets.

**Sec. 3 Exemptions.** This ordinance specifically exempts repair and maintenance work associated with existing equipment and facilities located in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake.

**Sec. 4 Duration.** This ordinance shall be in effect for four months following its effective date or until the City has adopted a comprehensive right-of-way ordinance, whichever occurs first.

**Sec. 5 Direction to Develop Comprehensive Right-of-Way Ordinance.** The City Council hereby directs the City Administrator to develop a comprehensive right-of-way ordinance which will be presented to the City Council on the earliest possible date. The City Administrator is encouraged to seek input from appropriate City staff, industry representatives, and interested members from the general public. Through this ordinance, the City Council declares its intent to adopt a comprehensive right-of-way permitting ordinance within four months after the effective date of this ordinance.

**Sec. 6 Subjects for Consideration.** Without limitation, the City Administrator is directed to consider the following subjects in preparing the City's comprehensive right-of-way ordinance: mandates contained in the Federal Telecommunications Act of 1996; mapping current and potential facilities and equipment; registration requirements; revenue impacts; new or different permit and/or approval processes for different utility or telecommunication facilities and site conditions; occupancy fees; identifying preferred corridors in which to locate various types of equipment; inspection requirements, costs; right-of-way use restrictions, notice requirements; city-wide utility and telecommunication

infrastructure needs; undergrounding requirements; accelerated deterioration of public property and rights-of-way likely to be caused by increased use; relocations necessary to serve a public purpose; reasonable notice and response requirements; insurance, bonding, and indemnification requirements; removal/repair guidelines; nuisance and abatement procedures for obsolete, unused or abandoned equipment, and similar regulations in other jurisdictions.

**Sec. 7 Construction.** If the provisions of this ordinance are found to be inconsistent with other provisions of the Rice Lake Municipal Code, this ordinance is deemed to control.

ADOPTED this 26th day of August, 1997.

CITY OF RICE LAKE

\_\_\_\_\_  
James F. Dorrance, III - Mayor

ATTEST:

\_\_\_\_\_  
Kathleen V. Morse, CMC  
City Clerk-Treasurer

EXHIBIT K

**ORDINANCE NO. 849-1****Imposing Interim Procedures on Excavation Permits**

**AN ORDINANCE OF THE CITY OF RICE LAKE, WISCONSIN**, re-adopting interim procedures for the acceptance of applications for and issuance of any permit or approval currently required under Chapter 2, Sec. 6-2-3 of the Rice Lake Municipal Code, to be effective for a period of four months, and directing development of a comprehensive right-of-way use ordinance.

**WHEREAS**, the City Council finds that enactment of this Ordinance is necessary due to the rapidly changing telecommunications industry and the fact that the current City Code and Regulations do not adequately address the potential environmental, economic, infrastructure, safety, and health impacts associated with the type and number of telecommunication facilities and equipment located and likely to be proposed for location within City rights-of-way, and

**WHEREAS**, interim procedures on the issuance of excavation permits is necessary to enable the City Council to formulate a comprehensive permitting process which addresses impacts, mitigation requirements, corridors for preferred siting and which protects the public interest, and

**WHEREAS**, the Council adopted Ordinance No. 849 on August 26, 1997, implementing interim procedures to enable it to formulate a comprehensive permitting process and now how has determined that additional time is necessary; and

**WHEREAS**, the potential adverse impacts on the public health, property, safety and welfare of the city, as discussed above, justify the imposition of interim procedures, now therefore,

**THE CITY COUNCIL OF THE CITY OF RICE LAKE DO ORDAIN AS FOLLOWS:**

- Sec. 1 Adoption of Interim Procedures.** Interim procedures are hereby adopted with respect to the acceptance of applications for and the issuance of any permit or approval currently required under Chapter 2, Sec. 6-2-3 of the Rice Lake Municipal Code, to construct, install, remove, or relocated any equipment or facilities in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake.
- Sec. 2 Restrictions on Rights-of-Way.** While this ordinance is in effect, no person may construct, install, remove, or relocate any equipment or facilities, with a project value of \$50,000 or more, in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake, without the prior approval of the City Council or its designee, the Superintendent of Streets.
- Sec. 3 Exemptions.** This ordinance specifically exempts repair and maintenance work associated with existing equipment and facilities located in any public street, public alley, public way, public ground, public sidewalk or City owned easement within the City of Rice Lake.

**Sec. 4 Duration.** This ordinance shall be in effect for four months following its effective date or until the City has adopted a comprehensive right-of-way ordinance, whichever occurs first.

**Sec. 5 Direction to Develop Comprehensive Right-of-Way Ordinance.** The City Council hereby directs the City Administrator to develop a comprehensive right-of-way ordinance which will be presented to the City Council on the earliest possible date. The City Administrator is encouraged to seek input from appropriate City staff, industry representatives, and interested members from the general public. Through this ordinance, the City Council declares its intent to adopt a comprehensive right-of-way permitting ordinance within four months after the effective date of this ordinance.

**Sec. 6 Subjects for Consideration.** Without limitation, the City Administrator is directed to consider the following subjects in preparing the City's comprehensive right-of-way ordinance: mandates contained in the Federal Telecommunications Act of 1996; mapping current and potential facilities and equipment; registration requirements; revenue impacts; new or different permit and/or approval processes for different utility or telecommunication facilities and site conditions; occupancy fees; identifying preferred corridors in which to locate various types of equipment; inspection requirements, costs; right-of-way use restrictions, notice requirements; city-wide utility and telecommunication infrastructure needs; undergrounding requirements; accelerated deterioration of public property and rights-of-way likely to be caused by increased use; relocations necessary to serve a public purpose; reasonable notice and response requirements; insurance, bonding, and indemnification requirements; removal/repair guidelines; nuisance and abatement procedures for obsolete, unused or abandoned equipment, and similar regulations in other jurisdictions.

**Sec. 7 Construction.** If the provisions of this ordinance are found to be inconsistent with other provisions of the Rice Lake Municipal Code, this ordinance is deemed to control.

ADOPTED this 29th day of December, 1997.

CITY OF RICE LAKE

James F. Dorrance, III - Mayor

ATTEST:

Kathleen V. Morse, CMC  
City Clerk-Treasurer